

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT Article 36 and Rule 70)



Applicant's or agent's file reference NC 32114 PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/IB 02/02598	International filing date (day/month/year) 02.07.2002	Priority date (day/month/year) 02.07.2002
International Patent Classification (IPC) or both national classification and IPC H04L29/08		
Applicant NOKIA CORPORATION et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

 These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:
 - I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

Date of submission of the demand 20.01.2004	Date of completion of this report 27.09.2004
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**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/IB 02/02598**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17))*):

Description, Pages

1-9 as originally filed

Claims, Numbers

1-8 as originally filed

Drawings, Sheets

1/2-2/2 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	-
	No: Claims	1-8
Inventive step (IS)	Yes: Claims	-
	No: Claims	1-8
Industrial applicability (IA)	Yes: Claims	1-8
	No: Claims	-

2. Citations and explanations

see separate sheet

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

- 1). Reference is made to the following documents:

D1: DE 199 11 416 A

D2: WO 02/35870 A

D3: WO 01/41458 A

- 2.) The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of **claim 1** is not new in the sense of Article 33(2) PCT.

The document **D1** discloses (the references in parentheses applying to this document):

An electronic personal device (ref.1, fig.1) comprising:
a central processing unit,
interface means for providing access to a memory area for storing personal information data of the owner of the electronic device (Col.3, l.13-18),
a user interface having at least
input means (ref.5, fig.1) for inputting operating commands, and
output means (ref.3, fig.1) for outputting information data,
locking means for locking the electronic device to prevent unauthorized use thereof if activated, (col.1, l.50-56) and
retrieving means for operating the electronic device to retrieve the personal information data stored in the memory area, even if the locking means are activated (col.2, l.29-33).

- 3). A similar novelty objection against **claim 1** can be based on the disclosure of D2 (p.11, par. 3; p.13, claim 6).
- 4). A similar novelty objection against **claim 1** can be based on the disclosure of D3 (p.3, l.21 - p.4, l.17; p.7, l.20 - p.8, l.13).
- 5). Dependent **claims 2-8** do not contain any features which, in combination with the

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features of any claim to which they refer, meet the requirements of the PCT in respect of novelty, see documents D1,D2,D3 and the corresponding passages cited in the search report.

- 6). The indications listed below should have been followed:

The claims should have been drafted in the **two-part form** in accordance with Rule 6.3(b) PCT, with those features known being placed in the preamble.

To meet the requirements of Rule 5.1(a)(ii) PCT, the documents D1,D2 and D3 should have been identified in the description and the relevant background art disclosed therein should have been briefly discussed.